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1. Examiner Stefanos Karmis	U.S. Patent and Trademark Office	571-273-8300

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From: John F. Hoffman**Date:** August 30, 2006

Comments: **Re: U.S. Patent Application Serial No. 10/089,504**
 Filed: July 29, 2002
 Inventor: Peter Brune et al
 Title: METHOD FOR CHARGING INTERNET SERVICES
 VIA A MOBILE TELEPHONE
 Group Art No. 3624

Transmitted herewith is a Request for Reconsideration in the above-identified application which is responsive to the Office Action dated June 2, 2006.

Return To: N. Wappes**Total number of pages, including cover letter:** 4

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Application Serial No. 10/089,504
Amendment dated August 30, 2006
Reply to Office Action dated June 2, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/089,504	Confirmation No. 9383
Applicant	:	Peter Brune et al	
Filed	:	July 29, 2002	
Title	:	METHOD FOR CHARGING INTERNET SERVICES VIA A MOBILE TELEPHONE	
TC/A.U.	:	3624	
Examiner	:	Stefanos Karmis	
Atty. Docket No.	:	RBL087	
Customer No.	:	0832	

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action dated June 2, 2006.

It is requested that the Examiner reconsider and withdraw the rejection of the claims for the reasons set forth below.

Claim 1 calls for "opening a micropayment account at a bank, where the payment gateway and micropayment account are continuously synchronized by means of matching the databases". As argued in previous responses, O'Neil fails to teach the step of opening a micropayment account at a bank wherein the payment gateway and the micropayment account are continuously synchronized by means of matching the databases. In the Office Action dated May 19, 2005, the Examiner refers to column 9, lines 29-42, column 14, lines 46-65, and column 10, lines 20-23, as support for the opening of a bank micropayment account and the continuous synchronization thereof with the payment gateway. However, O'Neil at column 9, lines 29-42, discusses depositing the value of a prepaid telephone service in the subscriber's account by means of a prepaid telephone service card and the ability for the subscriber to obtain additional credit if the subscriber is still qualified. It also discloses that the subscriber may use a dial-in voice response unit or Internet station to authorize an alternate payment source, such as a credit or debit bank account, to pay costs associated with future or past telephone services. However,

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even if one were to characterize the credit or debit bank account as a "micropayment account", which would be incorrect in the context of the present application, there is no continuous synchronization between this account and the payment gateway by matching the respective databases because all that is being done is to permit the system to debit the cost of the call from a debit bank account without the preceding step of reserving a certain amount of money in the micropayment account via the payment gateway as authorized by the user to the provider as further called for in Claim 1. Note that Claim 1 calls for reserving a certain amount in the micropayment account and not simply giving access to the bank debit account to a billing system. The Examiner refers to column 14, lines 46-65 as support in O'Neil for the "reserving" step of Claim 1. But this portion of O'Neil clearly discloses a prepaid account balance or credit limit in the billing system itself rather than a certain amount being reserved in a micropayment account at a bank.

In the most recent Office Action, the Examiner makes reference to column 8, lines 1-43, of O'Neil, but this particular portion of O'Neil describes the billing system itself and fails to disclose a micropayment account at an actual bank that is continuously synchronized with the payment gateway.

Claim 1 further calls for the payment gateway canceling the reserved certain transaction amount upon a micropayment account being debited up to the certain transaction amount and crediting the provider. Not only does O'Neil not disclose reserving a certain amount in a micropayment account at a bank but it also fails to disclose the step of canceling the respective reserved amount.

Since neither O'Neil nor Langseth et al singly or in combination discloses the steps set forth in Claim 1, it is submitted that the subject matter of Claim 1 is neither anticipated nor rendered obvious by the prior art of record. It is therefore requested that the Examiner reconsider and withdraw the rejection of the claims and pass the application to issue.

The undersigned intends to contact the Examiner to schedule a telephone interview once this response has been filed and the Examiner has had an opportunity to consider the previous rejection in light of the arguments set forth above. However, if the Examiner in the meantime

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has questions or suggestions regarding possible amendments to the claims, it is requested that he telephone the undersigned at 260-460-1692.

Respectfully submitted,

John F. Hoffman
Registration No. 26,280

Attorney for Applicants

JFH/nw

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August 30, 2006

JOHN F. HOFFMAN, REG. NO. 26,280

Name of Registered Representative

Signature

August 30, 2006

Date